

1 RICK A. YARNALL
2 CHAPTER 13 BANKRUPTCY TRUSTEE
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7 **UNITED STATES BANKRUPTCY COURT**
8 **DISTRICT OF NEVADA**

9 IN RE:
10 MARCUS DONELLE THOMPSON
11 Debtor(s)

BK-S-19-14908-MKN
Chapter 13

Hearing Date: September 16, 2021
Hearing Time: 2:00 PM

13 **MOTION TO DISMISS**

14 COMES NOW Chapter 13 Bankruptcy Trustee, RICK A. YARNALL, and hereby moves this
15 Honorable Court for an Order dismissing the above-captioned case pursuant to 11 U.S.C. § 1307. On
16 07/31/2019 the instant bankruptcy case was commenced and the plan was confirmed on 09/23/2020. The
17 Trustee requests that this case be dismissed pursuant to 11 U.S.C. § 1307 for the following reasons.

18 Dismissal is appropriate when a debtor defaults under a confirmed plan. 11 U.S.C § 1307(c)(6).
19 In this case, the confirmed plan requires that the Debtor(s) make monthly payments in the amount of
20 \$224.00. A review of this case shows that the Debtor(s) last successful payment was made on 6/14/2021.
21 To date, the Debtor(s) are \$448.00 delinquent in plan payments. Delinquency in plan payments
22 constitutes a material default under the confirmed plan. Therefore, the instant case should be
23 DISMISSED.

1 WHEREFORE, the Trustee respectfully requests that this Honorable Court issue an Order
2 Dismissing the instant case for delinquent plan payments.

3
4 DATED: August 10, 2021

/s/ Daniel Riggs

Daniel Riggs, Esq.
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701 Bridger Ave, Suite 820
Las Vegas, NV 89101
Attorney for RICK A. YARNALL

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1 **CERTIFICATE OF MAILING**

2 I hereby certify that I am an employee of RICK A. YARNALL, Chapter 13 Bankruptcy Trustee;
3 that I am over the age of 18 years; and that on this date I provided a copy of the Trustee's Motion to
4 Dismiss with Notice of Hearing to each of the following by:

5 [X] a. ECF System:

6 Rick A. Yarnall ecfmail@LasVegas13.com; ecfimport@lasvegas13.com
7 GEORGE HAINES igotnotices@hainesandkrieger.com

8

9 [X] b. United States mail, postage fully prepaid:

10 MARCUS DONELLE THOMPSON
11 3392 PAVLO ST.
12 LAS VEGAS, NV 89121

13 DATED: August 10, 2021

14 /s/ Leah Engel
15 Employee of
16 RICK A. YARNALL, CHAPTER 13 TRUSTEE